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Linda

THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|---------------|---|----------|-------------------|----------|
| DOCKET NUMBER | ANTICIPATED CLASSIFICATION OF THIS APPLICATION: | | PRIOR APPLICATION | |
| | CLASS | SUBCLASS | EXAMINER | ART UNIT |
| 600.347USWO | | | J. HINES | 1641 |

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EL 920768560 US
Date of Deposit: August 8, 2001

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner for Patents, Washington, D.C. 20231.

By: *Omesh Singh*
Name: Omesh Singh

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REQUEST FOR CONTINUED PROSECUTION APPLICATION UNDER 37 C.F.R. § 1.53(d)

Box CPA
Commissioner for Patents
Washington, DC 20231

Dear Sir:

This is a request for filing a continued prosecution application under 37 CFR § 1.53(d) of prior pending patent application Serial No. 09/308,829, filed on July 14, 1999, which claims benefit of PCT/US97/22125, filed December 5, 1997, which is a continuation-in-part of Serial No. 60/033,251, filed on December 6, 1996 entitled MUTANTS OF STREPTOCOCCAL TOXIN C AND METHODS OF USE by the following inventor(s):

| | | | |
|-------------------------|---|------------------------------------|---------------------------------------|
| Full Name Of Inventor | Family Name SCHLIEVERT | First Given Name PATRICK | Second Given Name M. |
| Residence & Citizenship | City EDINA | State or Foreign Country MINNESOTA | Country of Citizenship USA |
| Post Office Address | Post Office Address 5305 BIRCHCREST DRIVE | City EDINA | State & Zip Code/Country MN 55436/USA |
| Full Name Of Inventor | Family Name OHLENDORF | First Given Name DOUGLAS | Second Given Name |
| Residence & Citizenship | City EDEN PRAIRIE | State or Foreign Country MINNESOTA | Country of Citizenship USA |
| Post Office Address | Post Office Address 9397 OLYMPIA DRIVE | City EDEN PRAIRIE | State & Zip Code/Country MN 55347/USA |
| Full Name Of Inventor | Family Name MITCHELL | First Given Name DAVID | Second Given Name T. |
| Residence & Citizenship | City VADNAIS HEIGHTS | State or Foreign Country MINNESOTA | Country of Citizenship USA |
| Post Office Address | Post Office Address 4217 CENTERVILLE ROAD | City VADNAIS HEIGHTS | State & Zip Code/Country MN 55127/USA |
| Full Name Of Inventor | Family Name GAHR | First Given Name PAMALA | Second Given Name J. |
| Residence & Citizenship | City ST. PAUL | State or Foreign Country MINNESOTA | Country of Citizenship USA |
| Post Office Address | Post Office Address 163 MARIA AVENUE | City ST. PAUL | State & Zip Code/Country MN 55125/USA |

08/10/2001 GTEFFERA 00000103 09308829

01 FC:131 710.00 OP
02 FC:103 18.00 OP

The above-identified prior application in which no payment of the issue fee, abandonment of, or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this new application. Please use all the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application.

1. ☐ Enter the amendment previously filed on , but unentered, in the prior application.
2. ☒ A preliminary amendment is enclosed.

The filing fee is calculated below on the basis of the claims existing in the prior application as amended at 1 and 2 above:

CLAIMS AS FILED

| NUMBER FILED | NUMBER EXTRA | | RATE | FEE |
|-----------------------------------|--------------|---|--------------------------|-----------------|
| TOTAL CLAIMS: 21 / -20 | 1 | x | \$18 | \$18.00 |
| INDEPENDENT CLAIMS 2 -3 | 0 | x | \$80 | \$0.00 |
| | | | BASIC FILING FEE: | \$710.00 |
| | | | TOTAL FILING FEE: | \$728.00 |
| | | | | |

- ☐ Small entity status is claimed pursuant to 37 CFR 1.27.
3. ☒ Payment of fees:
 - ☒ Attached is a check in the amount of \$728.00.
 - ☐ Please charge Deposit Account No. 13-2725.
 4. ☒ The Commissioner is hereby authorized to charge any additional fees as set forth in 37 CFR §§ 1.16 to 1.18 which may be required by this paper or credit any overpayment to Account No. 13-2725.
 5. ☐ Priority of application Serial No , filed on , is claimed under 35 U.S.C. 119.
 6. ☐ The certified copy has been filed in prior application Serial No , filed .
 7. ☒ The prior application is assigned of record to Regents of the University of Minnesota located at Morrill Hall, 100 Church Street S.E., Minneapolis, Minnesota 55455.
 8. ☒ The Power of Attorney in the prior application is to:

Merchant & Gould P.C.
Minneapolis, MN 55402
(612/332-5300)
 9. ☒ A petition and fee to extend the term in the prior application until August 8, 2001 are enclosed herewith.
 10. ☐ The inventor(s) in this application are less than those named in the prior application and it is requested that the following inventors identified above for the prior application be deleted:
 11. ☐ Also Enclosed:

12. ☒ Address all future communications to the **Attention of Mark T. Skoog** (may only be completed by attorney or agent of record) at the address below.
13. ☒ A return postcard is enclosed.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903
612/332-5300



Date: Aug 8, 2001

Mark T. Skoog
Mark T. Skoog
Reg. No. 40,178
MTS:sab